(46)

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No. 5645 of 2007

PETITIONER Sunil Kumar Shrivastava, aged about 46 years, son of Shri Mohanlal Shrivastava, Gram Sahayak, Presently posted at Gram Panchayat Deewanpur, and office of the Janpad Panchayat – Patthalgaon, Distt. Jashpur (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh, through – Secretary, Department of Panchayat and Social Welfare Services, Dau Kalyan Singh Bhawan, Raipur (Chhattisgarh)
2. The Director, Panchayat & Social Services, Dau Kalyan Singh Bhawan, Raipur (C.G.)
3. The Joint Director, Village Panchayat and Social Welfare Services, Bilaspur Division, Bilaspur (C.G.)
4. The Deputy Director, Village Panchayat and Social Welfare Services, Distt. Jashpur (C.G.)
5. Chief Executive Officer, Janpad Panchayat Patthalgaon, Distt. Jashpur (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri A.N. Bhakta, Counsel for the petitioner.

Shri Yashwant Singh, Govt. Advocate for the State/ respondents.

ORAL ORDER
(28.09.2007)

SUNIL KUMAR SINHA, J

Heard finally with the consent of the parties.

Learned counsel for the petitioner submits that the case of the petitioner was considered for promotion to the next higher post but the result of the D.P.C. was kept in closed cover on

account of pendency of two department proceedings against the petitioner. He further submits that both the department proceedings have terminated and the proposed charges were not proved against him. However in both the proceedings, he was punished with some minor penalty. He also submits that thereafter he made a representation to the department for opening of the closed cover and passing appropriate order in the matter of promotion but the representation has not been decided so far and the result of the D.P.C. and the outcome of the D.P.C. are still kept in closed cover. For the time being, he makes a limited prayer to dispose of this petition and direct the authority concerned to decide the representation filed by the petitioner.

This limited prayer made by learned counsel for the petitioner is not opposed by the learned counsel for the State.

The same is allowed.

It is directed that if so advised, the petitioner may file a fresh representation along with copy of this order and copy of writ petition before the authority concerned within a period of 15 days from today and if such a representation is filed, the authority concerned shall dispose of the representation filed by the petitioner at the earliest and the result of disposal of the same shall be communicated to the petitioner.

The petition stands finally disposed of.

Sd/-
Sunil Kumar Sinha
Judge

vatti